

REMARKS

This is a full and timely response to the outstanding final Office Action mailed August 1, 2005. Through this response, Applicant has canceled claims 14-18 without prejudice, waiver, or disclaimer. Reconsideration and allowance of the application and pending claims 1-13, and 19-22 are respectfully requested.

I. Allowable Subject Matter

Applicant appreciates the Examiner's indication that claims 1-13 and 19-22 are allowable over the prior art of record. Although Applicant agrees with the Examiner's assertions on page 5, section 7 as to what *Chu* does not teach, Applicant respectfully disagrees with the assertion that *Chu* teaches "receiving a second user input provided by rotating a second component of the pointing device" and "modifying an item displayed on the display device responsive to the second user input" as recited in section 7, page 4 of the Office Action. For instance, in col. 8, lines 38-43, *Chu* provides as follows (with emphasis added):

For example, in one embodiment, the user can move a displayed cursor or other indicator on the display 14 using the rotation of the knob 152; when the cursor has been moved to a desired setting or area on the display, the user can push the knob 152 to select the desired setting. The push and/or pull functionality of the knob 152 can be provided with a spring return bias, or can be implemented to remain at a pushed or pulled position until the user actively moves the knob to a new position.

As shown, *Chu* teaches that movement of the cursor is via rotation, and selection is via a push/pull action of the knob. This is in contrast to Applicant's claims that merely require rotation of user input to provide selection functionality (without actually "selecting"). In other words, rotation of the knob in *Chu* to move the cursor is not the same as the claimed features of "receiving a second user input provided by rotating a second component of the pointing device" to provide the function of

“modifying an item displayed on the display device responsive to the second user input.” Thus, Applicant respectfully requests that the “statement of reasons for the indication of allowable subject matter” be limited to what *Chu* does not teach (as provided on page 5, section 7 of the Office Action). In that it is believed that every rejection has been overcome or rendered moot, it is submitted that each of the claims that remains in the case is presently in condition for allowance.

II. Claim Rejections - 35 U.S.C. § 102(e)

Claims 14 and 16-18 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by *Chu* (“Chu,” U.S. Pat. No. 6,703,550). Applicant respectfully traverses this rejection. However, in the interest of expediting allowance of the claims, Applicant has canceled claims 14-18 without prejudice, waiver, or disclaimer. Thus the rejection is rendered moot, and Applicant respectfully submits that the case is in condition for allowance.

Additionally, Applicant understands the inclusion of claim 19 in the rejection statement on page 2, section 3 of the Office Action to be a typographical error in light of the indication of allowance of claim 19 on pages 1 and 4.

III. Claim Rejections - 35 U.S.C. § 103(a)

Claim 15 has been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Chu* in view of *Mader et al.* (“Mader,” U.S. Pat. No. 5,129,722). Applicant respectfully traverses this rejection. However, in the interest of expediting allowance of the claims, Applicant has canceled claims 14-18 without prejudice, waiver, or disclaimer. Thus the rejection is rendered moot, and Applicant respectfully submits that the case is in condition for allowance.

IV. Canceled Claims

As identified above, claims 14-18 have been canceled from the application through this Response without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

CONCLUSION

Applicant respectfully submit that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



David Rodack
Registration No. 47,034

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500